

**Hearing Date and Time (only if objection is received): October 26, 2021 at 10:00 a.m. (Eastern Time)**  
**Objection Date and Time: October 19, 2021 at 4:00 p.m. (Eastern Time)**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:	)	
	)	Chapter 11
SEARS HOLDINGS CORPORATION, <i>et al.</i> ,	)	
	)	Case No. 18-23538
Debtors. <sup>1</sup>	)	(RDD)
	)	(Jointly Administered)

**NOTICE OF FUTURE TORT CLAIMANT DIANA ARNEY'S MOTION FOR COURT  
TO TAKE JUDICIAL NOTICE OF LITIGATION INVOLVING  
ELECTROLUX-MANUFACTURED BALL HITCH DESIGN DRYERS**

**PLEASE TAKE NOTICE** that on October 12, 2021, Future Tort Claimant Diana Arney (“Arney”) filed her Motion For Court To Take Judicial Notice Of Litigation Involving Electrolux-Manufactured Ball Hitch Design Dryers (the “Motion”).

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); SHC Licensed Business LLC (3718); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden, LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovol Solutions, Inc. (7180); Kmart Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859); Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp. (0535); SR – Rover de Puerto Rico, LLC (f/k/a Sears, Roebuck de Puerto Rico, Inc.) (3626); SYW Relay LLC (1870); Wally Labs LLC (None); SHC Promotions LLC (9626); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc. (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc. (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915); MyGofer LLC (5531); Rover Brands Business Unit, LLC (f/k/a Sears Brands Business Unit Corporation) (4658); Sears Holdings Publishing Company, LLC. (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616); StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc. (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); Sears Brands Management Corporation (5365); and SRe Holding Corporation (4816). The location of the Debtors' corporate headquarters is c/o M-III Partners, L.P., 1700 Broadway, 19th Floor, New York, NY 10019.

**PLEASE TAKE FURTHER NOTICE** that a hearing to consider the relief requested in the Motion will be **conducted through Zoom** before The Honorable Robert D. Drain, United States Bankruptcy Judge, on **October 26, 2021 at 10:00 a.m. (Prevailing Eastern Time)** (the “Hearing”). Parties wishing to participate at the Hearing are required to register their appearance by 4:00 PM on October 25, 2021 at <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>.

**PLEASE TAKE FURTHER NOTICE** that any objection to the Motion shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York, shall be filed with the Bankruptcy Court by October 19, 2021 at 4:00 p.m. (Prevailing Eastern Time) (a) by attorneys practicing in the Bankruptcy Court, including attorneys admitted *pro hac vice*, electronically in accordance with General Order M-399 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)), and (b) by all other parties-in-interest, on a CD-ROM, in text-searchable portable document format (PDF) (with a hard copy delivered directly to Chambers), in accordance with the customary practices of the Bankruptcy Court and General Order M-399, to the extent applicable, and shall be served in accordance with the *Amended Order Implementing Certain Notice and Case Management Procedures*, ECF No. 405, entered on November 1, 2018 (the “**Amended Case Management Order**”).

**PLEASE TAKE FURTHER NOTICE** that if you oppose the relief requested in the Motion, or if you want the Court to hear your position on the Motion, then you or your attorney must attend the Hearing. If you or your attorney do not follow the foregoing steps, the Court may decide that you do not oppose the relief requested in the Motion and may enter orders granting the relief requested.

Dated: October 12, 2021

Respectfully Submitted,

TANNEN LAW GROUP, P.C.

By: /s/ Michael M. Tannen

Attorneys for Diana Arney

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of October, 2021, I caused a true and correct copy of the foregoing **Notice and Future Tort Claimant Diana Arney's Motion For Court To Take Judicial Notice of Litigation Involving Electrolux-Manufactured Ball Hitch Design Dryers** to be filed and served through ECF notification upon all parties who receive notice in this matter pursuant to the Court's ECF filing system. I further certify that I sent same via email delivery or via Federal Express as per the service list below.

/s/ Michael M. Tannen

Michael M. Tannen

**Service List**

**Luke Barefoot**, lbarefoot@cgsh.com, Cleary Gottlieb Steen & Hamilton LLP  
*Counsel for Transform SR Brands LLC*

**Jacqueline Marcus**, Jacqueline.Marcus@weil.com; **Phil DiDonato**, Philip.DiDonato@weil.com, Weil, Gotshal & Manges LLP  
*Counsel for Sears Holdings Corp, et al.*

**Paul Schwartzberg**, paul.schwartzberg@usdoj.gov; **Richard Morrissey**, richard.morrissey@usdoj.gov

**The Honorable Judge Robert Drain**, via FedEx on or about October 13, 2021 to 300 Quarropas Street, Suite 248, White Plains New York, 10601